

MESSAGE NO: 9282208 MESSAGE DATE: 10/09/2009

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-475-703

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 08/01/2008 TO 07/31/2009

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: AUTOMATIC LIQUIDATION INSTRUCTION FOR GRANULARPOLY-
TETRAFLUOROETHYLENE RESIN FROM ITALY(A-475-703); EXCEPT SOLVAY SOLEXIS
S.p.A.

MESSAGE NO: 9282208

DATE: 10 09 2009

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 475 - 703

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PERIOD COVERED: 08 01 2008 TO 07 31 2009

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: AUTOMATIC LIQUIDATION INSTRUCTION FOR GRANULARPOLY-
TETRAFLUOROETHYLENE RESIN FROM ITALY(A-475-703);
EXCEPT SOLVAY SOLEXIS S.p.A.

1. COMMERCE DOES NOT AUTOMATICALLY CONDUCT ADMINISTRATIVE
REVIEWS OF ANTIDUMPING FINDINGS/DUTY ORDERS. INSTEAD, REVIEWS
MUST BE REQUESTED PURSUANT TO SECTION 751(a)(1) OF THE TARIFF
ACT OF 1930, AS AMENDED, AND IN ACCORDANCE WITH SECTION 351.213
OF COMMERCE'S REGULATIONS.

2. COMMERCE HAS NOT RECEIVED A REQUEST FOR AN ADMINISTRATIVE
REVIEW OF THE ANTIDUMPING DUTY FINDING/ORDER FOR THE PERIOD AND

ON THE MERCHANDISE LISTED BELOW, EXCEPT FOR THE FIRM NOTED.
THEREFORE, IN ACCORDANCE WITH SECTION 351.212(c) OF COMMERCE'S
REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON
MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR
CONSUMPTION AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON
THE DATE OF ENTRY.

PRODUCT: GRANULAR POLYTETRAFLUOROETHYLENE RESIN

COUNTRY: ITALY

CASE NUMBER: A-475-703

PERIOD: 08/01/2008 THROUGH 07/31/2009

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT:

COMPANY: SOLVAY SOLEXIS S.p.A.

CASE NUMBER: A-475-703-001

3. THERE ARE NO INJUNCTIONS APPLICABLE TO THE ENTRIES COVERED
BY THIS INSTRUCTON.

4. ENTRIES OF MERCHANDISE OF EXCEPTED FIRMS SHOULD NOT BE
LIQUIDATED UNTIL YOU RECEIVE SPECIFIC INSTRUCTIONS AFTER THE
COMPLETION OF THE ANTIDUMPING REVIEW. CONTINUE TO SUSPEND
LIQUIDATION OF ALL ENTRIES OF MERCHANDISE EXPORTED OR PRODUCED
BY THE LISTED FIRMS AND ENTERED, OR WITHDRAWN FROM WAREHOUSE,
FOR CONSUMPTION DURING THIS PERIOD.

5. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF
ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 08/01/2008
THROUGH 07/31/2009 OCCURRED WITH THE PUBLICATION OF THE NOTICE
OF INITIATION OF ADMINISTRATIVE REVIEW FOR THE 08/2009
ANNIVERSARY MONTH (74 FR 48224, 09/22/2009).

FOR ALL OTHER SHIPMENTS OF GRANULAR POLYTETRAFLUOROETHYLENE RESIN

FROM ITALY YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO
COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE
MERCHANDISE AT THE CURRENT RATES.

6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES.

THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER.

INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

7. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF COMMERCE'S REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY.

IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE MANUFACTURER, PRODUCER, SELLER, OR EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION.

ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984

OR (202) 482-3577 RESPECTIVELY (GENERATED BY O1: MK).

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CHRISTINE FURGASON

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party